

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA
CIVIL MINUTE ORDER

Case Title : Kenneth Aguigui and Teodora Remo-Aguigui **Case No :** 10-40109 – B – 13J
Date : 10/19/10
Time : 09:32

Matter : [18] – Objection to Confirmation of Plan [JPJ-1] Filed by Trustee Jan P. Johnson (npas)
[18] – Motion/Application to Dismiss Case/Proceeding [JPJ-1] Filed by Trustee Jan P. Johnson (npas)

Judge : Thomas Holman
Courtroom Deputy : Sheryl Arnold
Reporter : Diamond Reporters
Department : B

APPEARANCES for :

Movant(s) : Trustee – Jan P. Johnson

Respondent(s) :

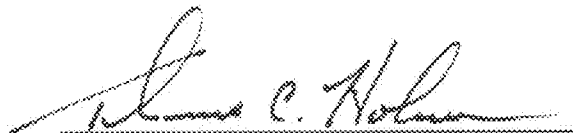
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Due to the size of the three related calendars (325 matters), the court made the following ruling without findings. All parties were given an opportunity at the hearing to request a more explanatory ruling.

IT IS ORDERED that the trustee's objections are sustained. Confirmation of the plan filed August 11, 2010 is denied.

The trustee's motion to dismiss is conditionally denied, the conditions being that on or before November 2, 2010, the debtors files a new plan, a motion to confirm the new plan and all necessary related motions, including without limitation motions to value collateral and motions to avoid liens, properly serve the new plan and the motion(s), and set the motion(s) for hearing on the next available chapter 13 calendar that provides proper notice for all of the motions to be heard on the same calendar.

Dated: October 22, 2010


Thomas C. Holman
United States Bankruptcy Judge